

PATRICIA WRIGHT V. D.C.
Civil Action No. 1:05cv0990 (RWR)

EXHIBIT # 2 - PLAINTIFFS'
***ERRATA* AS TO THE**
ADMINISTRATIVE RECORD

**STUDENT HEARING OFFICE OF THE DISTRICT OF COLUMBIA
REQUEST FOR MEDIATION/HEARING**

- This form shall be used to give notice to the District of Columbia Public Schools and/or a District of Columbia Public Charter School of parental disagreement with the identification, evaluation or educational placement of their child with a disability, or the timely provision of a free appropriate public education to that child, and to request a hearing and/or mediation regarding the same.
- This form must be sent to the Student Hearing Office of the District of Columbia, 825 North Capitol Street, N.E., 8th Floor, Washington, D.C. 20002. Fax number 202-442-5556

Federal law requires that when a parent or representative requests mediation, it shall be offered at no cost to the parent. Mediation may be beneficial in your case. Please indicate your decision:

☐ I REQUEST MEDIATION ☐ I REQUEST MEDIATION AND A HEARING ☒ I REQUEST A HEARING

STUDENT FOR WHOM MEDIATION/DUE PROCESS HEARING IS REQUESTED

Student Name: DALONTE WRIGHT DOB: OCTOBER 1, 1994

Address: 223 50th STREET, NE, WASHINGTON, D.C. 20019

Present School of Attendance:
AITON ELEMENTARY SCHOOL
48th PLACE, N.E.

Home School: AITON ELEMENTARY SCHOOL
(Neighborhood school where child is registered)

COMPLAINT IS MADE AGAINST: DCPS - AITON ELEMENTARY SCHOOL
DCPS and/or D.C. Public Charter School-specify charter school

INDIVIDUAL REQUESTING MEDIATION/DUE PROCESS HEARING

Name: ATTORNEY ROY CARLETON HOWELL (D.C. BAR # 415142)

Address: 8003 PARKSIDE LANE, N.W., WASHINGTON, D.C. 20012

Phone: (H) (202) 545-0750 (W) (202) 545-0755 (Fax) (202) 545-0525

Relationship to Student: ☐ Parent ☐ Self ☐ Legal Guardian ☐ Parent Surrogate ☐ Public Agency

PARENT REPRESENTATIVE/ATTORNEY/ADVOCATE (if applicable):

☒ ATTORNEY

Name: ROY CARLETON HOWELL, ESQ. Phone: (W) (202) 545-0755 (Fax) (202) 545-0525

Address: 8003 Parkside Lane, N.W., Washington, D.C. 20012

1. You must indicate three (3) dates when you and your representative (if you have one) are available within the next twenty (20) days for mediation (if you are requesting mediation) and/or three (3) dates within the next 35 days when you, your representative, and witnesses will be available to appear for a hearing (if you are requesting a hearing). Please indicate whether you are available in the AM, PM, or both on the identified dates.

MARCH 4, 2005
@ 9:00am or 3:00pm

MARCH 7, 2005
@ 9:00am or 3:00pm

MARCH 8, 2005
@ 9:00am or 3:00pm

Hearings: _____

Mediation: _____

FOR ALL DCPS STUDENTS, IF YOU PROPOSE DATES MORE THAN 35 DAYS FROM THE DATE OF YOUR REQUEST, YOUR SIGNATURE BELOW WILL INDICATE YOUR WAIVER OF YOUR RIGHT TO A HEARING OFFICER DETERMINATION WITH 45 DAYS OF THIS REQUEST. IN THE CASE OF A WAIVER, THE STUDENT HEARING OFFICE WILL CONTINUE TO USE BEST EFFORTS TO ISSUE A HEARING OFFICER DETERMINATION WITHIN 45 DAYS OF YOUR REQUEST (OR AS CLOSE TO 45 DAYS AS IS POSSIBLE).

Every effort will be made to accommodate your requested dates. Please be aware that proposed hearing dates which fall fewer than 21 days from the date of your request are difficult to accommodate. Your dates are most likely to be available if you propose hearing dates between 21 and 35 days from the date your request is received and docketed by the Student Hearing Office.

If none of your proposed dates are available, or if you fail to specify any dates, the Student Hearing Office will schedule your hearing for the first available date. Upon receipt of a Hearing Notice confirming the date of your hearing, you will have an opportunity to file a Motion for Continuance, if necessary, by using the form Motion attached to your Hearing Notice. *Please do not contact the Hearing Office by phone to request a continuance. Only the Hearing Officer assigned to your case is authorized to grant requests for continuances.*

Unless you receive notice that the Hearing Officer has granted your request for a continuance, you must appear for the hearing as scheduled. Failure to report for the hearing may result in dismissal of this case, or in a default decision against you. Disclosure of evidence and witnesses to the opposing party is required at least five business days prior to the hearing, with copies to the Special Education Student Hearing Office.

2. Special Accommodation Requests for Mediation/Due Process Hearing (please be specific):

Interpreter NO ACCOMMODATIONS REQUIRED

____ Foreign Language _____

____ Sign Language _____

____ Other _____

Special Communications _____

Special Accommodation for Disability _____

Other _____

3. In accordance with the Individuals with Disabilities Education Act (IDEA), please answer below:
(You may attach additional pages to provide more information if needed.)

Describe the nature of the problem:

DCPS violated 34 C.F.R. Sec. 300.125 CHILD FIND, and thus denied this child FAPE pursuant to the IDEA.

Describe issues to be addressed at the mediation and/or hearing, with specificity:

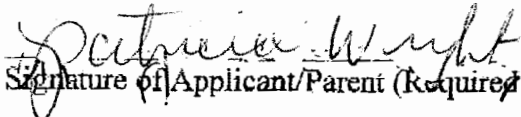
DCPS should have been aware or alternatively was aware of the academic failures, and long record of on-going academic problems & social conflicts at school.

Describe relevant facts relating to the problem:

Please see the attached Memorandum which provides averments of the cogent facts sub-judice.

State how you would like to see the problem corrected:

Please see the attached Memorandum which provides averments of the requested relevant remedy sub-judice.


Signature of Applicant/Parent (Required)

February 1, 2005
Date (Required)

MAIL, FAX, OR DELIVER APPLICATION TO:
Student Hearing Office of the District of Columbia
828 North Capitol Street, NE, 8th Floor
Washington, DC 20002 **FAX: (202) 442-5556**

FOR OFFICE USE ONLY:

Case Number: _____
Student ID#: _____

Form 101

Revised 30 June 2003

IN THE MATTER OF: DALONTE WRIGHT

AUGMENTATION OF RESPONSES TO QUESTION THREE:

DISCUSSION OF THE COGENT FACTS:

(A) Dalonte Wright has failed twice and was retained two academic years because of very poor academic performance, and DCPS officials at Aiton Elementary School were aware of the many special needs of this child or should have been aware.

(B) In a 2003-2004 DCPS report from Aiton Elementary School, DCPS officials documented that Dalonte Wright was “retained” (*i.e. failed*) because of poor academic performance.

(C) In an April 2002 Stanford Achievement Test, Dalonte Wright tested below average across a broad range of academic tasks.

(D) Subsequently in an April 2004 Stanford Achievement Test, Dalonte Wright tested below average in practically every academic category.

(E) The records of Dalonte Wright reveal many, many violent fights in school with other children.

(F) The records of Dalonte Wright reveal many, many conflicts with staff, teachers, and administrators at school.

(G) The records of Dalonte Wright reveal that these fights, and conflicts have been on-going his entire school career.

DISCUSSION OF THE REMEDY:

- (A) DCPS must execute a PSYCHO-EDUCATIONAL ASSESSMENT of this child.
- (B) DCPS must execute a CLINICAL & SOCIAL HISTORY of this child.
- (C) DCPS must execute an EYE EXAMINATION of this child.
- (D) DCPS must execute a HEARING TEST upon this child.
- (E) DCPS must convene an MDT and subsequently execute an IEP for this child pursuant to the IDEA, and provide this child with FAPE.
- (F) DCPS must consider the issue of ESY at the MDT meeting.
- (G) DCPS must consider the issue of COMPENSATORY EDUCATION at the MDT meeting.
- (H) DCPS must consider the appropriate placement for this child at the MDT meeting.
- (I) DCPS must provide transportation if placement requires such.